

**TOWN OF TROUTMAN
400 NORTH EASTWAY DRIVE
TROUTMAN, NORTH CAROLINA**

TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES

November 05, 2018 – 4:00 P.M. – Troutman Town Hall

Presiding: Mayor Teross W. Young, Jr.

Council Members Present: Mayor Pro Tem W. Paul Henkel; Judy Jablonski, Sally P. Williams; James K. Troutman; Paul R. Bryant

Council Members Absent: None

Staff Present: Kimberly H. Davis, Town Clerk; Steven H. Shealy, Finance Director; Matthew A. Selves, Police Chief; Erika G. Martin, Planning Director; Emily M. Watson, Parks and Recreation Coordinator; Adam K. Lippard, Public Works Manager; Gary W. Thomas, Town Attorney.

Town Manager Justin Longino joined the meeting via teleconference.

Press Present: Debbie Page, SVL Free News
Megan Suggs, Statesville Record and Landmark

Others: (Sign-In sheet is attached to these minutes)

I. MAYOR TEROSS W. YOUNG, JR. CALLED THE MEETING TO ORDER

II. ADJUSTMENT(S) TO THE AGENDA BRIEFING AGENDA

(*) Adjustment(s): ITEM VI. Removed "Closed Session Pursuant to NCGS 143-318.11(a)(5) to Discuss Acquisition of Property"; Replacing it with "Discuss Noise Complaints"

*Upon motion by Council member Henkel, seconded by Council member Williams, and unanimously carried, agenda briefing agenda was approved as amended above.

III. PRESENTATION: SERVLINER CUSTOMER LEAK ADJUSTMENT PROGRAM, (Shelby Winstead, ServLine Account Executive-via tele-conference)

Ms. Shelby Winstead, ServLine Account Executive presented a PowerPoint presentation via tele-conference to Town Council regarding a program that provides adjustments and insurance to utility customers for water/sewer leaks. She stated that ServLine is a full service program backed by two "A" rated insurance companies, and partner with National Rural Water Association and other affiliates. ServLine is insurance, not a warranty; it pays for high water/sewer bills and for the repair or replacement of water/sewer lines. The insurance is offered at a low cost to both residential and commercial customers with no deductible and no contract. Ms. Winstead explained that if the Town was to go with the program, customers will be billed the low monthly fee automatically through the town's utility billing. If a leak occurs, the insurance will pay any overage of the customer's average bill. She also explained that utility customers would have the option to opt out of the program if they so desired. Ms. Winstead reviewed program and pricing options, the claim process, and other optional insurance such as water line protection. She stated that the advantages of the program is that it saves the utility time, customers are protected, customers have a choice, customers are happy. Council member Jablonski asked how long ServLine has been in business and the names of the two insurance agencies they are backed by. Ms. Winstead responded that ServLine has been in business for 6 years and the insurance

companies are Hanover and Sompco. (Ms. Winstead to forward information on the companies to Finance Director Steve Shealy). Council member Henkel asked how the insurance companies are rated and where do the ratings come from. Ms. Winstead replied that both are highly rated; and ratings can be found through a google internet search of each individual insure company. She stated that there are companies that rate only insurance companies, but she is unable to remember the names at this time. Council member Henkel asked how ServLine is rated through the Better Business Bureau (BBB). In doing a quick internet search of the BBB to see ServLine's rating, Ms. Winstead responded that she is not seeing anything right away; that there is a chance they have not yet been rated. Mayor Young asked Ms. Winstead if there are other municipalities close by that are using their service. She stated there are a few in the eastern and western portions of North Carolina but not in the central section at this time. There are a couple of municipalities in the central section in the works, of which she could not disclose, but she would provide a full list of their current customers. Upon request by Council member Bryant, Ms. Winstead again walked Council through the claim process. Mayor Young thanked Ms. Winstead for calling in and sharing their program, stating that Council will take it under consideration. He asked that any additional questions be funneled through Finance Director Shealy.

(Copied in full, PowerPoint presentation is filed on CD titled: "Town Council Supporting Documents" dated November 5th, and November 8th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

IV. MISCELLANEOUS BUSINESS

A. Business from Council and Mayor

1. Mayor Young commented that Trails and Treats was a good event, and shared positive comments from the public. He thanked all staff for working with Parks and Recreation Director Emily Watson in making the event successful.
2. Mayor Young stated he had a couple of calls regarding leaf pick-up, asking when the next pickup is to occur. Finance Director Shealy stated that a schedule has been published with additional pick-up days added. Town Manager Justin Longino advised e that the pick-up dates for November are November 12th thru November 16th and November 21st thru November 28th and that the schedule is published in the Town's newsletter and on the website.

B. Business from Staff

1. Discuss Postal Change for Barium Seasons

Town Manger Justin Longino stated that about a year ago, the Barium Seasons HOA approached him in regards to having their mailing addresses changed from Statesville's zip code to Troutman's zip code. Currently, this community and almost every property from 4 Brothers service station to South Iredell High School have Statesville zip codes. He stated that he sent the request to Representative John Fraley and Congressman Ted Budd asking that they send a letter to the postal service asking that this request be reviewed for change. The postal service responded that they could only consider a request every 10 years; there was a request made by Mayor Richardson in December of 2008; therefore, the Town could not request again until December of this year. Barium Seasons n has again requested that the zip codes be changed. Town Manger Longino shared a copy of a draft letter to send to the postal service again requesting the zip code change along with a map showing the addresses of the request. He again will be requesting letters from Representative Fraley and Congressman Budd to be sent also.

Council member Henkel commented that in review of the requested addresses, some addresses on the east side of East Monbo were included, and asked that the request be extended to a certain degree for the west side also.

Mr. Arch Morgan, Barium Seasons resident, addressed Council stating that Barium Seasons is Troutman, not Statesville. In commenting that he would very much like the zip codes to change, and that it would be all positive with lower insurance rates and being directly affiliated with the Town.

(Copied in full, USPS draft request letter and map is filed on CD titled: "Town Council Supporting Documents" dated November 5th, and November 8th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

V. REVIEW AGENDA ITEMS PROPOSED FOR REGULAR MEETING OF NOVEMBER 08, 2018,
(Justin Longino, Town Manager)

*****See Draft Agenda *****

Staff was present to address any questions or concerns pertaining to the agenda.

Consent Agenda Items

Item 9. Approval of Alternative Façade for Safe Harbour Storage (111 Westmoreland Rd)

Planning Director Erika Martin stated that the alternative façade did not get submitted today; she will get it out to Council as soon as it is received. If not submitted by Thursday's meeting, it will be removed ~~and~~ from the agenda.

Item 10. Approval of Abandonment of Sanders Ridge Easements for Future Sewer and Pump Station

Planning Director Erika Martin explained that the deeded easement for a sewer line and pump station located along Houston Road that was never built, was originally part of the Georgia Mills II development, now Sanders Ridge and the developers are asking to abandon the easement so the line can be shifted later on for future development. A new easement will be dedicated as part of a future plat. Council member Bryant requested that further clarification be provided as to where the future pump station will be located before the Town gives up the easement.

New Business Items

Item 14. Rezoning Request (CZ-RM-18-01) Project Name: Colonial Crossing, 200.14 acres +/-, located between East Monbo Road and Talley Street, PIN's 4731068584 and 4731351985 from Conditional Zoning Planned Unit Development 1 to Conditional Zoning Mixed Residential District-18-01

A revised copy of the proposed ordinance was distributed to Council due to minor typos within the document.

***VI. CALL FOR CLOSED SESSION PURSUANT TO NCGS 143-318.11(a)(5) TO DISCUSS ACQUISITION OF PROPERTY** (Removed from the Agenda and replaced with "Discuss Noise Complaint")

***VI. DISCUSS NOISE COMPLAINT**

Due to numerous complaints regarding construction noise from Kathy Godley's industrial site located on Murdock Road by surrounding neighbors; Mayor Young opened the floor for discussion/comments from Council and Staff. Council member Henkel responded to the residents' concerns of the noise being distracting and disturbing especially at night, along with recognition of how it can affect their quality of life. He stated that the Town's current noise ordinance is in need of revision addressing the issue for future development and doing so with considerable thought. Council member Henkel stated that the neighbors are requesting that construction cease at night and that he would like to see if the Town could come to an agreement with Ms. Godley to cease construction from 9pm to 7am, Monday thru Saturday until the project is complete with the Town policing activity. If for any reason, operation beyond the time set is needed, approval from the Town will be required for an exception. Town Manager Justin Longino agreed that the existing ordinance is very vague and revisions need to be thoroughly thought out. In requesting direction from Council, he advised that staff is in the process of researching other Town noise ordinances for the purpose of updating the Town's current ordinance.

Mayor Young opened the floor to public comments.

Ms. Ersula Klinger, Alison Stroud, Jim Benson, Karen Davies, and Brenda Morrow (residents surrounding the Troutman Industrial Park site) voiced issues of noise disrupting sleep and not being able to open windows, bright lights, health issues, quality of life, and enforcement. It was asked "is it really reasonable to run all night construction. It was requested by Ms. Stroud that until an ordinance is established with the appropriate language for all the parameters that the Town needs in the future, that Council give directive to the Police Chief to enforce the Town's current ordinance that has the language "don't make a loud noise", between the hours of 9pm and 7am. Mr. Benson, resident of Leona Lane, voiced concern of buffering and issues with the berm that was put in place having no vegetation to buffer noise or light. Planning Director Martin responded that Ms. Godley will have to put in a minimum of 50' of vegetation on the berm (75% evergreen mix); a lighting plan with Duke Energy will have to be in place for the future facility, and the current Town ordinance does not have anything regarding saving trees, therefore the developer was allowed to clear the entire area when putting in the retention pond. Council member Henkel stated that the community is looking for some type of relief now from the construction noise, suggesting that a "tough love" conversation be held with Ms. Godley requesting that she work with the Town in setting a time to cease operation at night during the construction phases until the Town can revise the ordinance. Police Chief Selves stated that the Town's current ordinance is very old written in 1979 which complicates the police's legal authority. Planning Director Martin stated that in researching ordinances she likes Charlotte's. She and Police Chief Selves have crafted a draft ordinance that includes time limits, and offered to email copies to Council. Council members agreed with Council member Henkel in finding a way to come to an agreement with Ms. Godley while an ordinance is being crafted that takes the Town from 1979 to 2018 to give residents relief.

Council member Henkel suggested that Staff speak with Ms. Godley in the morning, asking that construction cease at 9pm thru 7am until the construction project is complete, and if a situation occurs, contact the Police Chief for decision of a waiver; if the request is rebuked, the Town will fall back on the current noise ordinance for police enforcement. Town Attorney Gary Thomas stated that any amendment made to zoning or police powers is only effective going forward. He stated that the problem with the current noise ordinance is that it is so old and so loose, he does not think a DA would mess with it, and there is a jurisdictional problem for enforcement.

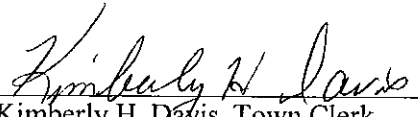
Mayor Young stated at this point the Town has to do a little bit more due diligence in the process of establishing an ordinance. He expressed concern regarding the Town's legal right of enforcing a new ordinance when the project was started under the current ordinance. Town Attorney Thomas replied that the ordinance would be in effect from the time it is enacted forward, and the ordinance would have to be complied with if established under the police powers.

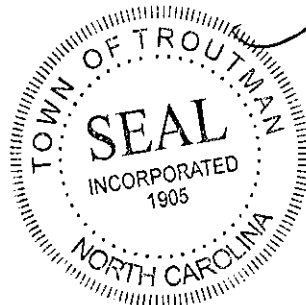
Mayor Young stated that between now and Council's Thursday night meeting, he, Staff, and a Council member speak with Ms. Godley in efforts to reach an agreement.

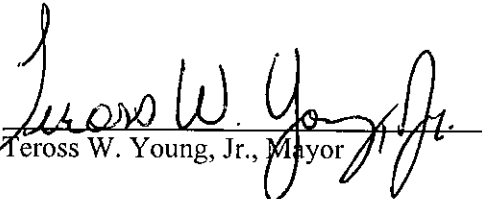
(Copied in full, noise ordinance factors of consideration is filed on CD titled: "Town Council Supporting Documents" dated November 5th, and November 8th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

V. ADJOURNMENT

*Upon motion by Council member Troutman, seconded by Council member Henkel, and unanimously carried, Agenda Briefing Meeting of November 05, 2018 was adjourned at 5:55 p.m.


Kimberly H. Davis, Town Clerk




Teross W. Young, Jr., Mayor

(*) Motion